

Remarks

Applicants respectfully request reconsideration of the above-referenced patent application.

I. Claim amendments

This Amendment E cancels claims 72, 73, and 75. Thus, claims 25-28, 30-35, 52-57, 62-71, 74, and 90-97 are pending. All pending claims (including the amendments) are shown above.

This Amendment E amends claims 74 and 93-97. More specifically: claim 74 has been amended to incorporate the subject matter of claim 75 and delete the reference to preventing HCV infection; and claims 93-97 have been amended to delete the reference to preventing HCV infection. Applicants respectfully submit that the amendments to claims 74 and 93-97 are supported by the originally-filed application and do not introduce new matter.

Applicants have canceled claims 72, 73, and 75, and amended claims 74 and 93-97 solely to facilitate prosecution, and make no representation as to the merit of the Office action's rejections.

Applicants reserve the right to pursue any canceled or unclaimed subject matter disclosed in this application in one or more later-filed continuation or continuation-in-part applications.

II. Response to 35 U.S.C. §112 (first paragraph) rejection

The Office action rejects claims 72-75 and 93-97 under 35 U.S.C. §112 (first paragraph) for not being enabled. Claims 72, 73, and 75 have been canceled thus mooted the rejection as to those claims. As to claims 74 and 93-97, Applicants respectfully request withdrawal of the rejection because, as discussed above, Applicants have amended claims 74 and 93-97 as suggested by the Office action (see first paragraph on page 3).

III. Response to the provisional obviousness-type double patenting rejection

The Office action provisionally rejects claims 25-28, 30-35, 52-57, 62-75, and 90-97 as unpatentable over (a) claims 1-21 of co-pending U.S. Patent Application No. 11/777,692 and (b) claims 1-3, 6, 7, 15-33, 38-41, 58, 59, and 62 of co-pending U.S. Patent Application No. 12/098,024 under the judicially created obviousness-type double patenting doctrine. Claims 72, 73, and 75 have been canceled, thus mooted the rejection as those claims. U.S. Patent Application Nos. 11/777,692 and 12/098,024 are later-filed applications, which are still undergoing examination. Thus, in accordance with MPEP §1490, Applicants request that the provisional obviousness-type double patenting rejection of claims 25-28, 30-35, 52-57, 62-71, 74, and 90-97 in this application be withdrawn because Applicants will file a terminal disclaimer in the '692 and '024 applications (to the extent necessary) once the claim language in those applications is finalized.

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Applicants believe that they do not owe any fee(s) for this filing. If, however, Applicants do owe any such fee(s), the Commissioner is hereby authorized to charge those fee(s) to Deposit Account No. 01-0025. In addition, if there is ever any fee deficiency or overpayment under 37 C.F.R. §1.16 or §1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. 01-0025.

Applicants respectfully submit that the application is in condition for allowance, and request that it be allowed. Applicants request that the Examiner call the undersigned if any questions arise that can be addressed over the phone to expedite examination of this application.

Respectfully submitted,
Pratt et al.

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I hereby certify that this correspondence is being electronically transmitted to the U.S. Patent and Trademark Office via the U.S. Patent and Trademark Office's electronic filing system on **April 16, 2009**.

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